

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DALE RICHARD DANSER,)	
)	
Plaintiff,)	
vs.)	NO. CIV-11-0026-HE
)	
MICHAEL J. ASTRUE, Commissioner)	
of the Social Security Administration,)	
)	
Defendant.)	


ORDER

Plaintiff Dale Richard Danser filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying his application for disability insurance benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Shon Erwin, who recommends that the decision of the Commissioner be affirmed.

Plaintiff, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts Magistrate Judge Erwin's Report and Recommendation and affirms the Commissioner's decision.

IT IS SO ORDERED.

Dated this 10th day of September, 2012.



JOE HEATON
UNITED STATES DISTRICT JUDGE